

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 12-2004)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

18670

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/527306

INTERNATIONAL APPLICATION NO.

PCT/EP2003/010021

INTERNATIONAL FILING DATE

10 September 2003 (10.09.2003)

PRIORITY DATE CLAIMED

13 September 2002 (13.09.2002)

TITLE OF INVENTION

A BRAKING ARRANGEMENT FOR A CORRECTABLE -TRAJECTORY SPIN-STABILISED ARTILLERY PROJECTILE

APPLICANT(S) FOR DO/EO/US

Klaus Bär and Karl Kauzsch

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

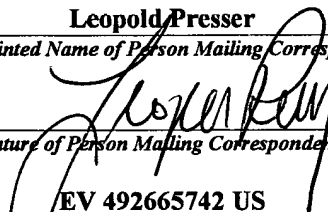
13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **EV 492665742 US**
23. ☒ Other items or information:

Two (2) Sheets of Drawings

Assignee: Diehl BGT Defence GmbH & Co. KG of Überlingen, Germany

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | | | |
|---|-----------------------|---|------------|--------------------------|-----------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) | | INTERNATIONAL APPLICATION NO. | | ATTORNEY'S DOCKET NUMBER | |
| 10/527306 | | PCT/EP2003/010021 | | 18670 | |
| 24. The following fees are submitted: | | | | Applicant use | Office use only |
| <input checked="" type="checkbox"/> | a) Basic national fee | \$300.00 | \$ | \$300.00 | |
| <input checked="" type="checkbox"/> | b) Examination fee | \$200.00 | \$ | \$200.00 | |
| <input checked="" type="checkbox"/> | c) Search fee | \$400 | \$ | \$400.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | \$ | \$900.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | * 4 - 20 = | 0 | x \$50.00 | \$ | \$0.00 |
| Independent claims | * 1 - 3 = | 0 | x \$200.00 | \$ | \$0.00 |
| MULTIPLE DEPENDENT CLAIMS (if applicable) | | | + \$360.00 | \$ | \$0.00 |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | \$900.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | \$0.00 |
| SUBTOTAL = | | | | \$ | \$900.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | \$0.00 |
| TOTAL NATIONAL FEE = | | | | \$ | \$900.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property | | | | \$ | \$0.00 |
| TOTAL FEES ENCLOSED = | | | | \$ | \$900.00 |
| *Claim calculation based on claims, as amended by Preliminary Amendment being filed concurrently herewith. | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>900.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-1013/SSMP</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | |
| Leopold Presser | | | | | |
| Registration No. 19,827 | | | | | |
| Correspondence Address | | | | | |
| Customer No. 23389 | | | | | |
| | | | | SIGNATURE | |
| | | | | Leopold Presser | |
| | | | | NAME | |
| | | | | 19,827 | |
| | | | | REGISTRATION NUMBER | |

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|--|---|--|---|--|
| CERTIFICATE OF MAIL BY "EXPRESS MAIL" (37 CFR 1.10) | | | Docket No. <div style="border: 1px solid black; text-align: center; padding: 2px;">18670</div> | |
| Applicant(s): Klaus Bär, et al. | | | | |
| Application No. <div style="border: 1px solid black; text-align: center; padding: 2px;">Unassigned</div> | Filing Date <div style="border: 1px solid black; text-align: center; padding: 2px;">Herewith</div> | Examiner <div style="border: 1px solid black; text-align: center; padding: 2px;">Unassigned</div> | Customer No. <div style="border: 1px solid black; text-align: center; padding: 2px;">23389</div> | Group Art Unit <div style="border: 1px solid black; text-align: center; padding: 2px;">Unassigned</div> |
| Invention: A BRAKING ARRANGEMENT FOR A CORRECTABLE-TRAJECTORY SPIN-STABILISED ARTILLERY PROJECTILE | | | | |
| <p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> NEW U.S. APPLICATION UNDER 35 U.S.C. §371 </div> <p style="text-align: center; font-size: small;">(Identify type of correspondence)</p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>March 9, 2005</u></p> <p style="text-align: center; font-size: x-small;">(Date)</p> <div style="text-align: right; margin-top: 20px;"> <div style="margin-bottom: 10px;"> Leopold Presser <small>(Typed or Printed Name of Person Mailing Correspondence)</small> </div> <div style="margin-bottom: 10px;">  <small>(Signature of Person Mailing Correspondence)</small> </div> <div> EV 492665742 US <small>("Express Mail" Mailing Label Number)</small> </div> </div> | | | | |
| <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p> <p>LP: jy</p> | | | | |